

ASSEMBLY BILL

No. 2927

Introduced by Assembly Member Leno

February 24, 2006

An act to amend Section 2620 of the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL'S DIGEST

AB 2927, as introduced, Leno. Physical therapy.

Existing law, the Physical Therapy Practice Act, licenses and regulates physical therapists by the Physical Therapy Board of California, and provides that a violation of the act is a crime. Existing law defines physical therapy for purposes of the act.

This bill would specify that nothing in the act prohibits an individual not licensed or registered under the Medical Practice Act from providing assistance and advice to a consumer regarding physical fitness, including developing training regimens. The bill would also require the individual to make certain disclosures to the consumer regarding any medical conditions the consumer may have, including that the consumer should consult with the appropriate health care professional before proceeding with the training. Because a violation of the bill's provisions would be a crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2620 of the Business and Professions
2 Code is amended to read:

3 2620. (a) Physical therapy means the art and science of
4 physical or corrective rehabilitation or of physical or corrective
5 treatment of any bodily or mental condition of any person by the
6 use of the physical, chemical, and other properties of heat, light,
7 water, electricity, sound, massage, and active, passive, and
8 resistive exercise, and shall include physical therapy evaluation,
9 treatment planning, instruction and consultative services. The
10 practice of physical therapy includes the promotion and
11 maintenance of physical fitness to enhance the bodily movement
12 related health and wellness of individuals through the use of
13 physical therapy interventions. The use of roentgen rays and
14 radioactive materials, for diagnostic and therapeutic purposes,
15 and the use of electricity for surgical purposes, including
16 cauterization, are not authorized under the term “physical
17 therapy” as used in this chapter, and a license issued pursuant to
18 this chapter does not authorize the diagnosis of disease.

19 (b) Nothing in this section shall be construed to restrict or
20 prohibit other healing arts practitioners licensed or registered
21 under this division from practice within the scope of their license
22 or registration.

23 (c) (1) *Nothing in this section prohibits an individual not*
24 *licensed or registered under this division from providing*
25 *assistance and advice to a consumer regarding physical fitness,*
26 *including developing training regimens and implementing and*
27 *maintaining those regimens.*

28 (2) *An individual who provides services pursuant to this*
29 *subdivision shall disclose to the consumer that injuries, ailments,*
30 *or medical conditions that the consumer may have could affect*
31 *implementation and maintenance of the training regimen, and*
32 *that the consumer should consult with the appropriate health*
33 *care professional before proceeding with the training.*

34 SEC. 2. No reimbursement is required by this act pursuant to
35 Section 6 of Article XIII B of the California Constitution because

1 the only costs that may be incurred by a local agency or school
2 district will be incurred because this act creates a new crime or
3 infraction, eliminates a crime or infraction, or changes the
4 penalty for a crime or infraction, within the meaning of Section
5 17556 of the Government Code, or changes the definition of a
6 crime within the meaning of Section 6 of Article XIII B of the
7 California Constitution.

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